

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

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FISCAL IMPACT STATEMENT

LS 7245

BILL NUMBER: HB 1672

NOTE PREPARED: Jan 9, 2005

BILL AMENDED:

SUBJECT: Immunity involving drugs and medical devices.

FIRST AUTHOR: Rep. Torr

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: **GENERAL**
DEDICATED
FEDERAL

IMPACT: Pending

Summary of Legislation: Provides that manufacturers and sellers of drugs and medical devices are not subject to liability in a product liability action if: (1) the Food and Drug Administration (FDA) approved the drug or medical device as safe and effective; and (2) the FDA approval was in effect when the drug or medical device was sold to or for use by a user or consumer who was injured by the drug or medical device. Provides that a health care provider is immune from civil liability for injuries sustained by a person as a result of taking a drug or using a medical device if the health care provider prescribed or dispensed the drug or medical device for the person in accordance with: (1) instructions approved by the FDA; or (2) the standard of medical care in effect at the time the drug or medical device was prescribed or dispensed for the person.

Effective Date: July 1, 2005.

Explanation of State Expenditures: *As of the above date, the fiscal analysis of this bill has not been completed. Please contact the Office of Fiscal and Management Analysis for an update of this fiscal impact statement.*

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected:

Local Agencies Affected:

Information Sources:

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